

requested in light of the above amendments and the following remarks.

(1) Applicant has attached hereto a substitute Abstract to overcome the objection thereto in the Office Action.

(2) Applicant has amended the claims in accordance with the Examiner's request to overcome the objections thereto in the Office Action.

(3) Claims 1-6 stand rejected under 35 U.S.C. §103(a) as allegedly being obvious over Hetrick et al. (U.S. 5,831,862 hereafter "Hetrick") in view of Peters (U.S. 5,769,269) and Ishizaki et al. (U.S. 5,844,140 hereafter "Ishizaki"). It is respectfully submitted that the above grounds of rejection are traversed for the reasons indicated below.

It is alleged in the Office Action that Hetrick disclosed a combined system of automatic selling of products and services for vending machines, and is alleged to disclose a service module, push button, display, service control circuit.

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It is also admitted that Hetrick fails to teach or suggest that the service control circuit is connected to a telephone line. However, Peters is cited for showing a machine 30 that connects via a telephone communications line 48 to a central station 20. It is further acknowledged in the Office Action further that the combination of Hetrick and Peters fails to suggest a service module designation a payment means is designated by automatic display. Ishizaki is cited to show

this feature, and thus the present claims are allegedly obvious over the combination of teachings of Hetrick, Peters and Ishizaki.

Applicant respectfully traverses the above rejection. It is respectfully submitted that although the rejection is based on the teachings of the combination of references, each of the above references is cited in the Office Action as allegedly disclosing/suggesting elements, so that, in combination, the instant claims are allegedly obvious in view thereof. Applicant submits that the combination of teachings of the references fails to disclose or suggest the claimed invention because as the individual references do not show what is alleged in the Office Action, thus the combination of teachings does not and cannot provide this suggestion or motivation to an artisan.

For example, Hetrick refers to an automatic transaction system, not a *combined system* of products and services automatically sold by a vending machine.

In addition, Hetrick fails to disclose or suggest a service module having service operating means included in the automatic machine. Hetrick has pushbuttons for product selection, but does not disclose or suggest pushbuttons for (service selection.

Accordingly, as Hetrick fails to disclose or suggest a service module, the instantly claimed features of the service

module having a display to assign a payment means, operating buttons to render service different elements, and a service control circuit that is controlled by a main control circuit.

Hetrick merely discloses a machine having a coin return 80, bill payout recess 85, product selector 90, display for providing instructions and information to the consumer, and a typical vend dispensing circuit 110 for dispensing a selected product. To reiterate, it is respectfully submitted that Hetrick fails to disclose or suggest a combined system, a service module or equivalent thereof.

With regard to Peters, it is respectfully submitted that, for example, the telephone line in the present invention provides, *inter alia*, accommodations for *voice communications* between customers and a service center operator. Peters fails to make any disclosure or suggest in this regard. Also, it respectfully submitted that the machines disclosed in Peters are dependent on each other and are in turn connected to a host station, and a telephone line is necessary for proper operation of the whole system. In contrast, the telephone line is not required for proper functioning of the whole system, as each machine is *independent* from others, with the telephone line being at the customer's disposal for rendering a service in the combined system of automatic selling of products and services.

With regard to Ishizaki, it is respectfully submitted that this reference, while showing a display for payment, fails to disclose or suggest a display for use of a service.

According, for all of the above reasons, it is respectfully submitted that none of the instant claims would have been obvious to a person of ordinary skill in the art over the combination of Hetrick, Peters and Ishizaki, because the combination of references fails to disclose, suggest, or motivate an artisan so that the instantly claimed invention would have been obvious in view of the combination of references. The combination of references lacks many of the items that it is being credited with providing in the Office Action, such deficiencies of the combination noted above.

Applicants note that in the Court of Appeals held in *In re Fritch*, 972 F.2d 1260, 1266, 23 USPQ 2d 1780, 1783-84 (Fed. Cir. 1992) that:

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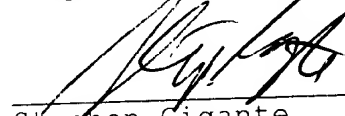
Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching or suggestion supporting the combination. Under section 103, teachings of references can be combined only if there is some suggestion or incentive to do so. Although couched in terms of combining teachings found in the prior art, the same inquiry must be carried out in the context of a purported obvious ~~modification~~ of the prior art. The mere fact that the prior art may be modified in the manner suggested by the Examiner does not make the modification obvious unless the prior art suggested the desirability of the modification.

In the present case, it is respectfully submitted that the teachings of the combination of references does not overcome the standard of establishing obviousness as exemplified in *Fritch*.

For all of the foregoing reasons, withdrawal of all grounds of objection and rejection, and allowance of the instant application is respectfully requested.

Should the Examiner deem that there are any issues that can be resolved via telephone, please contact Applicant's undersigned attorney at the number indicated below.

Respectfully submitted,

  
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Date: May 6, 2002

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Enclosures: Version With Markings To Show Changes Made  
Petition For Two-Month Extension Of Time



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PATENT  
2383-1-006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Félix GUINDULAIN VIDONDO  
SERIAL NO. 09/773,092 EXAMINER: Uyen Chaun Le  
FILED: January 31, 2001 ART UNIT : 2876  
FOR: COMBINED SYSTEM OF AUTOMATIC SELLING OF PRODUCTS  
AND SERVICES

VERSION WITH MARKINGS SHOWING CHANGES MADE

Assistant Commissioner for Patents  
Washington, D.C. 20231

In response to the Office Action dated February 5, 2002 the Applicant petitioned for a two-month extension of time expiring on Monday, May 6, 2002 and indicates the marked up changes to the claims as follows:

IN THE ABSTRACT:

A substitute Abstract has been attached in place of the originally filed Abstract.

IN THE CLAIMS:

Claims 1-6 have been amended as shown on the following attached pages:

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MAY 20 2002  
TC 2800 MAIL ROOM

CLAIMS

1. (Amended) A [Combined] combined system of automatic selling of products and services, [being useful  
5 to be included in all types of] for automatic vending machines, [characterized in that] the combined system of automatic selling of products and services[, ] [comprises the] comprising:  
10 an inclusion in an automatic machine [(1)] of a service module [(21)] that has service operating means, the machine [(1)] having [the] a corresponding product selection push buttons [(5)] and a service selection push button [(4)],  
15 the service module [(21)] having a display [(7)] designating the ] to which a payment means [to which] is assigned by a display of the automatic machine when [the] a service option is selected, [the payment means is designated by the display (3) of the automatic machine,  
20 as well as the ]service operating buttons [(12)] and service rendering elements [ (14), the] a service control circuit [(13)] being controlled by [the ] a main control [electronics ] circuit [(8)] of the automatic machine, ~~the service control circuit~~  
25 [(13)] thereof being connected to [the ] a telephone line [ (15)].

2. (Amended) A [Combined] combined system of automatic selling of products and services, according to  
30 claim 1, [characterized in that ] wherein the service control circuit [(13)] controls [the ] a collection operation of [the ] a rendered service [, in such a way that] by means of the main control circuit [(8)] of the machine[ (1)], [by which ]said main control circuit in

turn controlling the service control circuit [it is controlled], the service control circuit [it carries] carrying out [the ]collections by means of the collection operation system [itself (10) ]of the machine.

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3. (Twice Amended) A [Combined] combined system of automatic selling of products and services, according to claims 1 or 2, [characterized in that ] wherein the connection to the telephone line [(15) ] permits the  
10 connection to an operations center so that information is transmitted and received.

4. (Amended) A [Combined] combined system of automatic selling of products and services, according to  
15 claim 1, [characterized in that ] wherein the service module [itself (21) can ]is enabled to include a service selection and designation of the payment means button [(16) ]from the display [(3) ]of the machine to the display [(7) ]of the service module[ (21)].

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5. (Twice Amended) A [Combined] combined system of automatic selling of products and services, according to any of Claims 1, 2 or 4, [characterized in that ] wherein  
the machine [(1) can ]is enabled to [operate  
25 ]simultaneously and independently operate dispensing products[,] while the service included by the module [(21) ]thereof is being rendered.

6. (Amended) A [Combined] combined system of  
30 automatic selling of products and services, according to Claim 3, [characterized in that ] wherein the machine [(1) can ] is enabled to [operate ]simultaneously and independently operate dispensing products[,] while the service included by the module [(21) ] thereof is being



09/773,092 Marked Version

**rendered.**

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